

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RODRIGO RODRIGUEZ-MENDEZ,

Defendant.

4:02-CR-3020

ORDER

This matter is before the Court on correspondence from the defendant that the Court has docketed as a motion to reduce sentence ([filing 122](#)). That motion, however, must be denied.

The defendant was convicted in 2002 after a jury trial of one count of conspiracy to distribute and possess with intent to distribute more than 500 grams of methamphetamine, one count of possession with intent to distribute methamphetamine, and possession of a firearm during a drug trafficking crime. See [filing 35](#); [filing 44](#); [filing 60](#). He had previously been convicted of two felony drug offenses. [Filing 39](#). So, pursuant to [21 U.S.C. § 841\(b\)\(1\)](#), he was subject to "a mandatory term of life imprisonment without release" on the conspiracy count. See [filing 69-2 at 8-9](#). He was sentenced to life imprisonment on that count, a concurrent sentence of 480 months' imprisonment for possession with intent to distribute, and a consecutive sentence of 60 months' imprisonment on the firearm count. [Filing 60 at 2](#).

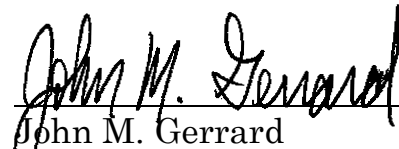
The defendant now asks for a sentence reduction because "the minimum mandatorys [sic] changed." [Filing 122 at 1](#). But that's incorrect: the law the defendant was convicted of violating, [§ 841\(b\)\(1\)](#), still requires "a mandatory term of life imprisonment" for someone convicted of distributing

500 grams or more of methamphetamine after having been convicted of two previous felony drug offenses. The law has not changed, and the defendant is still subject to mandatory life imprisonment. Accordingly, the Court will deny the defendant's motion.

IT IS ORDERED that the defendant's motion to reduce his sentence ([filing 122](#)) is denied.

Dated this 26th day of September, 2019.

BY THE COURT:

  
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John M. Gerrard  
Chief United States District Judge